

THE HONORABLE JAMES L. ROBART

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MICROSOFT CORPORATION,  
Plaintiff,

vs.

MOTOROLA, INC., et al.,  
Defendants.

MOTOROLA MOBILITY LLC, et al.,  
Plaintiffs,

vs.

MICROSOFT CORPORATION,  
Defendants.

Case No. C10-1823-JLR

DECLARATION OF SHANE P.  
CRAMER IN SUPPORT OF  
MICROSOFT'S RESPONSE TO THE  
COURT'S SEPTEMBER 10, 2013  
ORDER CONCERNING  
MOTOROLA'S LITIGATION  
EFFORTS IN GERMANY

I, Shane P. Cramer, hereby declare as follows:

1. I am an attorney at the law firm of Calfo Harrigan Leyh & Eakes LLP, one of the law firms representing Microsoft Corporation ("Microsoft") in the above-captioned matter, and have personal knowledge of the facts stated herein.

1           2.       Attached hereto as Exhibit 1 is a true and correct copy of a letter from Michael  
2 Krenz to Peter Chrocziel attaching a bank guarantee, enforceable copy of judgment, and  
3 associated documents, Dkt. No. 2 O 373/11, Regional Court of Mannheim, dated July 1, 2013.

4           3.       Attached hereto as Exhibit 2 is a true and correct copy of an English translation  
5 of the Exhibit 1 letter from Krenz to Chrocziel (without attachments), dated July 1, 2013.

6           4.       Attached hereto as Exhibit 3 is a true and correct copy of General Instrument  
7 Corporation's Rejoinder in Appellate Proceedings filed in the matter of *General Instrument v.*  
8 *Microsoft Corp. and Microsoft Ireland Operations, Ltd.*, Dkt. No. 6 U 44/12, Karlsruhe Higher  
9 Regional Court, dated August 1, 2013.

10          5.       Attached hereto as Exhibit 4 is a true and correct copy of an English translation  
11 of the Exhibit 3 General Instrument Rejoinder in Appellate Proceedings, dated August 1, 2013.  
12

13          6.       Attached hereto as Exhibit 5 is a true and correct copy of the Complaint and  
14 associated documents filed in *Motorola Mobility LLC v. Microsoft Corp.*, Regional State Court  
15 Mannheim, on April 26, 2013, including both German documents and English translations.

16          7.       Attached hereto as Exhibit 6 is a true and correct copy of the Order for the  
17 Suspension of Proceedings, *General Instrument v. Microsoft Corp. et al.*, Dkt. No. 6 U 44/12,  
18 Higher Regional Court of Karlsruhe, filed August 21, 2013.

19          8.       Attached hereto as Exhibit 7 is a true and correct copy of an English translation  
20 of the Exhibit 6 Order for the Suspension of Proceedings, Dkt. No. 6 U 44/12, Higher Regional  
21 Court of Karlsruhe, dated August 21, 2013.

22          9.       Attached hereto as Exhibit 8 is a true and correct copy of the Order for the  
23 Suspension of Proceedings, *General Instrument v. Microsoft Corp. et al.*, Dkt. No. 6 U 45/12,  
24 Higher Regional Court of Karlsruhe, dated August 21, 2013.  
25

1           10.     Attached hereto as Exhibit 9 is a true and correct copy of an English translation  
2 of the Exhibit 8 Order for the Suspension of Proceedings, Dkt. No. 6 U 45/12, Higher Regional  
3 Court of Karlsruhe, dated August 21, 2013.

4           11.     Attached hereto as Exhibit 10 is a true and correct copy of the Order for the  
5 Suspension of Proceedings, *General Instrument v. Microsoft Deutschland GmbH.*, Dkt. No. 6  
6 U 46/12, Higher Regional Court of Karlsruhe, dated August 21, 2013.

7           12.     Attached hereto as Exhibit 11 is a true and correct copy of an English  
8 translation of the Exhibit 10 Order for the Suspension of Proceedings, Dkt. No. 6 U 46/12,  
9 Higher Regional Court of Karlsruhe, dated August 21, 2013.

10          13.     Attached hereto as Exhibit 12 is a true and correct copy of the Order for the  
11 Suspension of Proceedings, *General Instrument v. Microsoft Deutschland GmbH.*, Dkt. No. 6  
12 U 47/12, Higher Regional Court of Karlsruhe, dated August 21, 2013.

13          14.     Attached hereto as Exhibit 13 is a true and correct copy of an English  
14 translation of the Exhibit 12 Order for the Suspension of Proceedings, Dkt. No. 6 U 47/12,  
15 Higher Regional Court of Karlsruhe, dated August 21, 2013.

16          15.     Attached hereto as Exhibit 14 is a true and correct copy of the Order for the  
17 Suspension of Proceedings, *Motorola Mobility LLC v. Microsoft Corp. et al.*, Dkt. No. 2 O  
18 79/13, Regional Court of Mannheim, dated August 22, 2013.

19          16.     Attached hereto as Exhibit 15 is a true and correct copy of an English  
20 translation of the Order for the Suspension of Proceedings, *Motorola Mobility LLC v.*  
21 *Microsoft Corp. et al.*, Dkt. No. 2 O 79/13, Regional Court of Mannheim, dated August 22,  
22 2013.  
23  
24  
25

18. Attached hereto as Exhibit 17 is a true and correct copy of excerpts from the transcript of the April 11, 2012 Hearing on Microsoft's Request for a Temporary Restraining Order.

20. Attached hereto as Exhibit 19 is a true and correct copy of the Rebuttal Expert Report of Michael T. Orchard, Ph.D., served in this matter on August 10, 2012.

22. Attached hereto as Exhibit 21 is a true and correct copy of excerpts from the transcript of the August 13, 2013 Pretrial Conference.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED this 16th day of September, 2013 in Seattle, Washington.

s/ Shane P. Cramer  
SHANE P. CRAMER

**CERTIFICATE OF SERVICE**

I, Florine Fujita, swear under penalty of perjury under the laws of the State of Washington to the following:

1. I am over the age of 21 and not a party to this action.
2. On the 16th day of September, 2013, I caused the preceding document to be served on counsel of record in the following manner:

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DATED this 16th day of September, 2013.

s/ Florine Fujita  
 FLORINE FUJITA